



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
MEETING DATE: November 7, 1990
AGENDA TITLE: Report on Victor Road (Highway 12) Improvements - Information Only

RECOMMENDED ACTION: The attached report is for information only.

BACKGROUND INFORMATION: The City Council discussed at its last meeting the proposed improvements on Victor Road at Guild Avenue and improvements east of Guild and how they affected the Oak trees on the south side of Victor Road.

The attached memorandum discusses the Victor Road improvements and the Victor Road trees. It recaps what has happened in the past and what can be expected in the future.


Jack L. Ronsko
Public Works Director

JLR/mt

Attachment

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

MEMORANDUM, City of Lodi , Public Works Department

TO: City Council
City Manager

FROM: Public Works Director

DATE: October 29, 1990

SUBJECT: Trees on Victor Road

At its October 17 meeting, the City Council directed staff to look into the possibility of saving trees on the south side of Victor Road (State Highway 12) and in particular, the trees at the Teresi development at Victor Road and Guild Avenue. This direction was prompted by citizen concerns over the trees that had been removed on the Teresi property and numerous trees that exist further east.

Background Information

The trees in question are located on the south side of Victor Road within the State Highway Right-of-Way between Cluff Avenue and Locust Tree Road. There are approximately 100 trees east of the Central California Traction (CCT) tracks. Based on old aerial photos, there were 29 trees located between the CCT tracks and Highway 99 after Highway 99 was constructed. Most of these trees have been removed with the following projects:

- 7 trees - Misc. developments between Highway 99 and Cluff Avenue
- 8 trees - Lodi Door and misc. developments east of Cluff Avenue
- 5 trees - Dart Container east of Guild Avenue
- 4 trees - Teresi, west of Guild Avenue to Lodi Door
- 1 tree - Guild Avenue intersection

Thus four trees remain fronting the undeveloped parcel between Dart Container and the CCT tracks.

Development of the land included installation of curb, gutter, sidewalk, and utilities as required by City ordinances. Based on the location of the trees and the required alignment and width of Victor Road by the State of California, there has been little choice but to remove the trees. We do not recall any opposition to the earlier tree removals.

The Teresi project is the second phase of a subdivision which included the Dart Container project east of Guild Avenue. The Dart improvement project was approved and constructed in 1985, including plans for the Victor Road improvements showing removal of the trees. Construction of Guild Avenue was deferred pending development of the property west of

Guild Avenue. In 1990, the owners initiated the necessary updating of the plans in preparation for development and Dart Container was requested to work with the owners on the joint installation of Guild Avenue. As the plans neared completion, the land was cleared and the owners contracted with Claude C. Wood Company to do the public improvement work on Victor Road. A subcontractor for Claude C. Wood started to remove the trees on Victor Road without obtaining the necessary State permits and was stopped by Caltrans after three trees were cut down. Of the two trees left, one was located within the Guild Avenue intersection and must be removed.

During the time between this tree removal and the Council meeting of October 17, City staff was contacted by three persons regarding the trees. The first call was from a County Public Works engineer who asked about our policies and approval procedures regarding tree removal; He noted that their policy was that all tree removals within the right-of-way be specifically approved by the Board of Supervisors. The second call came later from a citizen who asked about what could be done to save the trees. Based on the City's past approvals and the fact that the trees were in the State right-of-way, the caller was directed to the City Council and/or the State. Another call came from a Council member asking about the situation. (After the Council meeting, another call was received. The caller supported efforts to save the trees but did not wish to leave a name).

At the October 17 Council meeting, staff indicated that we would check with Caltrans to see if the permit could be delayed. Unbeknownst to us, the permit had already been issued. As we later learned, the matter had been reviewed and approved by a number of persons at Caltrans, all the way up to the District Director. Their review by traffic engineers as well as a landscape architect, all concluded that it was appropriate to remove the remaining tree,

On Thursday, after the City Council meeting on October 17, staff contacted all the parties involved in the project. We first checked with Caltrans and found out that the permit was issued and since it had been approved by the Director, the Permit Department would not put a hold on the work. We were directed to the Traffic Department and the Director's Office. Both the Director and head of Traffic were on vacation. We then contacted Claude C. Wood Company and the tree subcontractor and left messages that the trees should not be cut. We spoke with the project engineer who was very concerned about construction delays, especially given the time of year. We also spoke with John Teresi who agreed to delay the work until Monday, October 22, while staff worked with Caltrans.

City traffic and survey staff made additional field measurements to determine what modifications to the plans would have to be made in order to save the one remaining tree not within the Guild Avenue intersection.

The tree is located 31 feet from the centerline. The face of curb is to be 32 feet from the centerline. Thus saving the tree would mean one of the following:

- 1) Move the curb and gutter toward the centerline, creating a space behind the curb for the tree. This space would need to be at least 6 feet.
- 2) Move the curb and gutter behind the tree and place a guardrail in front of the tree.
- 3) Leave out the curb and gutter and place guardrail in front of the tree.

These options were discussed with the head of the Caltrans Traffic Branch and the acting director on Friday, October 19. They did not approve any of these options, mainly because all would place an object in the pavement that would protrude from the curb alignment already established on both sides of the project. They also noted that the 32 foot 1/2 width was already 6 feet narrower than their current standards for this type of highway. Option 1 would further reduce the width to 26 feet and Options 2 and 3 would be approximately 28 feet.

On Monday, October 22, we informed Claude C. Wood Company that we could not legally stop them from removing the trees. However, the improvement plans had not yet been signed. On Tuesday, we received the attached letter from Caltrans. By late Wednesday, October 24, the owners had provided the insurance, fees and Caltrans permits required by the City. Therefore, we issued a City permit for the work. To further delay the work, after all our requirements have been met, would not only be unfair to the property Owners, it would have left the City open to a lawsuit. The two remaining trees were cut on Friday, October 26.

The Future

In all our discussions with the State, County, citizens and developers, it was clear that the fate of the remaining trees to the east should be considered now, rather than piecemeal or in the middle of a development project.

As discussed previously with the City Council, one of the first projects that will be undertaken after adoption of the General Plan, will be a study of Highway 12/Kettleman Lane. Originally the study was to focus on the interchange at Highway 99. Later it became obvious that the study needed to include lane geometrics, access control, medians and other items on Kettleman Lane both east and west of Highway 99. This study would be the appropriate place to look at Victor Road since it is the extension of Highway 12 to the east.

There will not be a simple answer to saving the rest of the trees if Victor Road is ever to be widened to accommodate additional traffic. The north side is bounded by the Southern Pacific Railroad which severely limits widening on that side. Other options such as moving the State Highway to an alternate street east of Highway 99 (Kettleman Lane or others) will have to be considered. In addition, it should be remembered that any work around oak trees often proves to be fatal to the tree. The City has had only mixed success in saving trees adjacent to new or widened streets.

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The draft General Plan includes a recommendation that a heritage tree ordinance be developed. This could affect trees on both private property as well as public right-of-way. Aside from the Victor Road project, the Council may wish to start on such an ordinance. We suggest that a committee including private citizens, the development community, City staff and possibly a qualified tree consultant be established to draft a workable ordinance and implementation guidelines. The Public Works Department would be glad to participate in such an effort.



Jack L. Ronsko
Public Works Director

JLR/RCP/lw

Attachment

cc: Assistant City Engineer
Community Development Director
Barbara Graham
Gypsy Andrews
Sally Humphreys, AAUM

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)

STOCKTON, CA 95201

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October 23, 1990

10-SJ-12
Victor Roadcity of Lodi
City Hall
Call BOX 3006
Lodi, CA 95241-1910Attention Jack L. Ronsko
Director of Public Works

Dear Jack:

I have reviewed your request to save one of the two remaining trees to be removed under encroachment permit issued to John Teresi for work on Victor Road east of Route 99. Because of similar development east and west of these two trees and the fact that one of the trees is in the intersection of the proposed new street and the other close enough that it may affect sight distance, it may not be possible to save either one. We would certainly be willing to review any ideas you have to save the one tree.

However, if because of time constraints this is not possible, we would certainly be interested in discussing means to avoid future removal of the row of trees to the east of the developed area. John Gagliano, the District's Permit Engineer and Bryan Walker, Associate Landscape Architect would be available to assist you in this. John may be reached at 948-3819 and Bryan may be reached at 948-3655.

Sincerely,

JAMES B. BORDEN
District Director

cc: John Gagliano